

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOHAMMED RANA,
Plaintiff,

v.

RANI MAHAL FINE INDIAN CUISINE, INC.
and ABDUL JALIL,
Defendants.
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ORDER

23 CV 1738 (VB)

8/14/23

On August 8, 2023, plaintiff Mohammed Rana in this Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”) case filed a settlement agreement (Doc. #16-1) and a statement explaining the basis for the agreement (Doc. #16) as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

In reviewing the proposed settlement agreement, the Court has considered the following factors:

- (i) of the \$75,000 settlement amount to be paid to plaintiff, \$24,898.01 is attributed to plaintiff’s FLSA claims and another \$24,898.01 is attributed to plaintiff’s non-wage-and-hour claims;
- (ii) plaintiff’s position that the best possible recovery on his FLSA and NYLL claims, assuming all disputed facts are resolved in plaintiff’s favor, would be \$179,190.20, and that the \$49,796.02 net settlement amount is a reasonable outcome (Doc. #16 at ECF 3–4);
- (iii) the existence of a bona fide dispute regarding plaintiff’s alleged exempt status under the FLSA during his employment by defendants and the number of overtime hours worked;
- (iv) all parties are represented by counsel;
- (v) the settlement was reached with the assistance of a neutral mediator;
- (vi) the parties’ desire to resolve this action early and avoid the costs and uncertainty associated with drawn-out litigation;
- (vii) plaintiff no longer works for defendants;
- (viii) the release is limited to employment-related claims accruing before plaintiff executed the settlement agreement; and
- (ix) the absence of a confidentiality or non-disparagement clause in the settlement agreement.

Based on the foregoing, the Court finds the settlement agreement is fair and reasonable, and the product of arm's-length negotiation, not fraud or collusion.

Additionally, the Court finds the attorney's fees, which is one-third the gross settlement amount, in addition to reimbursement of costs, to be fair and reasonable under the circumstances.

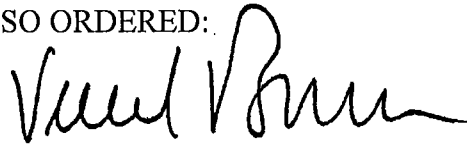
CONCLUSION

Accordingly, the parties' settlement agreement is APPROVED.

The Clerk is directed to close this case.

Dated: August 14, 2023
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge